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August 1, 2003

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**Via Hand Delivery**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

Re: Alpine PCS, Inc. & RFB Cellular, Inc.  
E911 Interim Report

Dear Ms. Dortch:

Alpine PCS, Inc. and RFB Cellular, Inc. (the "Carriers") hereby files its E911 Interim Report regarding its wireless Enhanced 911 (E911) deployment and implementation status.<sup>1</sup> The Carriers, as a Tier III employing a handset-based technology, must begin selling and activating location-capable handsets no later than September 1, 2003 and must ultimately ensure that penetration of location-capable handsets among its subscribers reaches 95 percent no later than December 31, 2005. 47 C.F.R. § 20.18(g)(1). Further, the Carriers must begin delivering Phase II E911 service to the PSAPs in its service area by September 1, 2003 or six (6) months after a valid PSAP request has been received, whichever is later. 47 C.F.R. § 20.18(g)(2).

The Carriers recognize the importance of public safety importance of E911 service. It operates a CDMA network and provides cellular and PCS service in the following rural Michigan Counties: Alcona, Alpena, Cheboygan, Crawford, Montmorency, Oscoda, Otsego, Presque Isle, Alger, Chippewa, Delta, Luce, Mackinac, Schoolcraft and Grand Traverse.

As set forth below, the Carriers provide its responses to the information requested by the Wireless Telecommunication Bureau in its Public Notice released June 30, 2003 (Public Notice, DA 03-2113, Wireless Telecommunications Bureau Provides Further Guidance on Interim Report Filings by Small Sized Carriers).

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1 These entities are commonly controlled by Robert F. Broz.

**1. The number of Phase I and Phase II requests from PSAPs (including those the carrier may consider invalid).**

The Carriers have received valid Phase I requests from every county where they currently provide commercial service.<sup>2</sup>

The Carriers have not received a valid Phase II PSAP request in any county where it provides commercial service. On July 23, 2003, the Carriers received a letter dated July 18, 2003 from Mackinac County, Michigan indicating that it is capable of Phase II service. However, the Carriers believe the PSAP request may be invalid and have requested documentation from them showing that they will be ready six months from the date of their request, as required by 47 C.F.R. § 20.18(j)(3).

**2. The carrier's specific technology choice (i.e., network-based or handset-based solution, as well as the type of technology used).**

The Carriers will deploy a handset-based solution for its CDMA network. The Carriers have already deployed CAS Phase I technology in a majority of its service area and plan on transitioning to NCAS Phase I technology by September 1, 2003.

**3. Status on ordering and/or installing network equipment.**

The Carriers have already deployed CAS Phase I technology in the following Michigan Counties where it provides commercial service: Alcona, Alpena, Cheboygan, Crawford, Montmorency, Oscoda, Otsego and Presque Isle. In these counties, it anticipates transitioning to NCAS Phase I technology by September 1, 2003. In addition, the Carriers plan on deploying NCAS Phase I technology by September 1, 2003 in the following Michigan Counties where it provides commercial service: Alger, Chippewa, Delta, Luce, Mackinac, Schoolcraft and Grand Traverse.

With respect to Phase II service, since no PSAPs are Phase II capable at this time, the Carriers have not made the necessary hardware/software upgrades to its CDMA network. However, the Carriers have been negotiating with several vendors regarding upgrading its CDMA network to become Phase II compliant for a handset-based technology.

**4. If the carrier is pursuing a handset-based solution, the Report must also include information on whether ALI-capable handsets are now available, and whether the carrier has obtained ALI-capable handsets or has agreements in place to obtain these handsets.**

A few feature limited models of GPS-assisted handsets for CDMA networks are currently available and the Carriers have commenced selling them. However, the Carriers have found that they are not able to procure the newer feature rich models that subscribers are interested in and thus the Carriers are concerned about being able to procure and sell sufficient phones to meet the FCC mandates.

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<sup>2</sup> Schoolcraft County, Michigan has indicated that it will not be Phase I ready until the end of 2003.

**5. The estimated date on which Phase II service will first be available in the carrier's network.**

As stated above, the Carriers have not yet received a valid Phase II PSAP request. Hence, it is not sure when Phase II service will first be available in any counties where it provides commercial service.

**6. Information on whether the carrier is on schedule to meet the ultimate implementation date of December 31, 2005.**

As stated above, the Carriers commenced selling GPS-assisted handsets to its CDMA customers. However, ultimate compliance of the Phase II E911 rules will require the Carriers to convert a majority of its current CDMA subscribers to ALI-capable handsets in order to meet the 95 percent penetration requirement set forth in Section 20.18(g)(1)(v) of the Commission's rules. Further, the Carriers express concern that, as a small carrier, it may not be able to obtain the handsets in sufficient volume to meet the requirements for handset-based carriers. Therefore, at this time, the Carriers are not sure whether it will be able to meet the ultimate implementation deadline.

In the event you have any questions with respect to this matter, please contact the undersigned.

Sincerely,

Thomas Gutierrez  
Todd Slamowitz

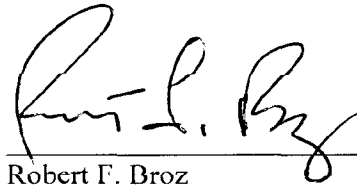
**A F F I D A V I T**

County of SANTA BARBARA )  
 )  
State of California ) SS:

I, Robert F. Broz, having been first duly sworn, depose and state as follows:

1. I am President for RFB Cellular, Inc. and Alpine PCS, Inc..
2. I am familiar with the facts contained in the foregoing Interim Report of the status of Enhanced 911 Phase II compliance, and I verify that those facts are true and correct to the best of my knowledge and belief, except that I do not and need not attest to those facts which are subject to official notice by the Commission.

I declare under penalty of perjury that the foregoing is true and correct.

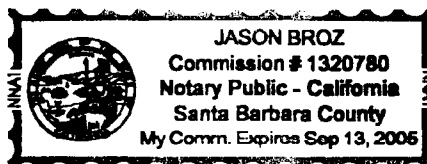


Robert F. Broz  
President  
RFB Cellular, Inc. and Alpine PCS, Inc.

Subscribed to and sworn to before me  
this 31<sup>st</sup> day of July, 2003.

  
Notary Public

My commission expires:



## **CERTIFICATE OF SERVICE**

I, Steven McCord, an employee in the law offices of Lukas, Nace, Gutierrez & Sachs, Chartered, do hereby certify that I have on this 1<sup>st</sup> day of August, 2003, delivered a copy of the foregoing Enhanced 911 Tier III Interim Report to the following:

John Muleta, Chief\*  
Wireless Telecommunications Bureau  
Federal Communications Commission  
445 12th Street, S.W., Room 3-C252  
Washington, D.C. 20554

David Solomon, Chief\*  
Enforcement Bureau  
Federal Communications Commission  
445 12th Street, S.W., Room 7-C723  
Washington, D.C. 20554

Blaise Scinto, Acting Chief\*  
Policy Division  
Wireless Telecommunications Bureau  
Federal Communications Commission  
445 12th Street, S.W., Room 3-C133  
Washington, D.C. 20554

Jennifer Tomchin, Legal Advisor\*  
Policy Division  
Wireless Telecommunications Bureau  
Federal Communications Commission  
445 12th Street, S.W., Room 3-C400  
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Patrick Forster\*  
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Wireless Telecommunications Bureau  
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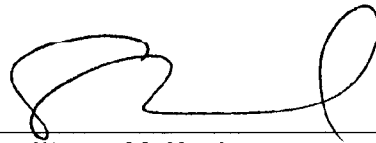
Robert M. Gurss  
Director of Legal and Government Affairs  
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John Ramsey, Executive Director  
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Evelyn Bailey, Executive Director, NASNA  
Vermont Enhanced 9-1-1 Board  
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Drawer 20  
Montpelier, VT 05620-6501

A handwritten signature in black ink, appearing to read 'Steven McCord', is written over a horizontal line.

Steven McCord

\*via hand-delivery